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12 JUL 12 PM 4:10

KING COUNTY  
SUPERIOR COURT CLERK  
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CASE NUMBER: 12-2-23705-1 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

T.V., a single woman

Plaintiff,

vs.

CATHOLIC COMMUNITY SERVICES OF  
WESTERN WASHINGTON, a Washington  
Corporation; and THE MATT TALBOT NEW  
HOPE RECOVERY CENTER, a/k/a THE MATT  
TALBOT CENTER,

Defendants.

NO.

COMPLAINT FOR PERSONAL INJURY

COMES NOW the Plaintiff, by and through her attorneys Steven T. Reich and  
James Beck, and by way of cause of action against the defendants, alleges as follows:

I. PARTIES, RELATED PARTIES, JURISDICTION AND VENUE

1.1 Plaintiff T.V., was born in 1965, and resides in Redmond, Washington.

1.2 Defendant The Matt Talbot New Hope Recovery Center, d/b/a The Matt  
Talbot Center (hereafter "The Talbot Center"), is licensed by the State of Washington as a  
treatment program for the homeless, addicted and mentally ill. The Talbot Center is  
located in Seattle, Washington.

1.3 Defendant Catholic Community Services of Western Washington (hereafter  
"Catholic Community Services") is a Washington corporation, and an outreach of the  
Catholic Church in Western Washington, under the leadership of the Archbishop of

1 Seattle and the Board of Trustees. Upon information and belief, Catholic Community  
2 Services manages and controls The Talbot Center, and is responsible for the actions of  
3 The Talbot Center.

4 1.4 David Scratchley was employed by The Talbot Center from approximately  
5 April 2006 to July 2011 as the director of the drug treatment programs.

6 1.5 The subject matter hereof and the parties hereto are subject to the  
7 jurisdiction of the above-entitled court and venue is proper.

8  
9 **II. STATEMENT OF FACTS**

10 2.1 David Scratchley held himself out as a psychologist, and an expert on such  
11 topics as parenting, drug treatment, and mental health conditions accompanying  
12 addiction. He authored books on the subjects, frequently gave speeches to various  
13 groups, and co-hosted a radio show.

14 2.2 In approximately April 2006, The Talbot Center hired Scratchley to become  
15 the director of its drug treatment programs. Upon information and belief, The Talbot  
16 Center did not check Scratchley's references, credentials, or contact his previous  
17 employers to determine his suitability to direct the treatment programs and offer  
18 psychological counseling. Scratchley remained employed at The Talbot Center until  
19 approximately July 2011. During that time, The Talbot Center trumpeted Scratchley on its  
20 website as a respected psychologist in its treatment programs:

21  
22 "[S]upervised by Dr. David Scratchley, Ph.D., Clinical  
23 Psychologist and renowned Addictionologist, our  
24 recovery and relapse prevention program addresses the  
physiology, psychology, and sociology of addiction."

25 In reality, Scratchley has never been a licensed psychologist in the state of  
26 Washington, and the only state health license Scratchley held was an entry level  
certification as a chemical dependency trainee, issued in 2009.

1           2.3    Even though Scratchley worked at The Talbot Center, The Talbot Center  
2 was operated and controlled by Catholic Community Services. Scratchley received his  
3 paychecks and benefits from Catholic Community Services. Thus, The Talbot Center and  
4 Catholic Community Services each had control over the policies, procedures, and  
5 operations at The Talbot Center.  
6

7           2.4    In approximately May 2009, Plaintiff T.V. went to The Talbot Center to  
8 obtain counseling for an addiction to prescription medication that she developed when  
9 her child was hospitalized with a rare disorder. There, she met Scratchley, who provided  
10 T.V. with counseling for several months. During the counseling, Scratchley discussed his  
11 own personal issues and problems, and inserted the topic of sexuality into the sessions.  
12 Scratchley began calling T.V. at night, and they would have romantic discussions about  
13 various subjects. Scratchley told T.V. that nobody cared about her the way he did. In July  
14 2009, Scratchley and T.V. agreed to stop their professional relationship.  
15

16           2.5    After the counseling sessions ended, Scratchley continued to pursue T.V.,  
17 and in September 2009, they began having an intimate relationship which continued  
18 until approximately July 2011. During the relationship, Scratchley introduced T.V. to  
19 illegal drugs, and they used drugs together with such regularity that T.V. developed an  
20 addiction to cocaine and crack. Even though he was the director of a prominent drug  
21 treatment program, Scratchley was able to get away with his rampant drug use because  
22 The Talbot Center has no drug testing program of employees.  
23

24           2.6    Scratchley had numerous sexual obsessions, and he regularly talked about  
25 kinky sexual activities with T.V. On one occasion, Scratchley asked T.V. if she wanted to  
26 meet his son. When she met the person, it was not his son but a married man with two  
kids. She then learned that Scratchley had been in a long-term homosexual relationship

1 with the man. Scratchley attempted to get T.V. to engage in a ménage-a-trios with the  
2 man, but she refused. As the relationship progressed, Scratchley began telling T.V. about  
3 his sexual fantasies with children. Scratchley told T.V. that he had sexually abused  
4 children in the past. T.V. became highly concerned that Scratchley was currently acting  
5 on those fantasies when he told her about two young girls that he was having sexual  
6 contact with.  
7

8 2.7 On September 1, 2011, T.V. learned that Scratchley was planning on  
9 seducing a young boy into his home for the purpose of engaging in sexual intercourse,  
10 and Scratchley asked T.V. to join as a sexual threesome. The boy was the ten year-old  
11 son of different female patient that Scratchley had met at The Talbot Center. T.V. was  
12 appalled by Scratchley's intentions and informed the authorities. Scratchley was  
13 subsequently arrested and has been charged with Attempted Rape of a Child in the First  
14 Degree, and Communication with a Minor for Immoral Purposes. During a search of  
15 Scratchley's home following his arrest, authorities discovered narcotics, narcotics  
16 paraphernalia, pornographic "sex toys" and instruments, and a pornographic DVD with  
17 "Teen" in the title. Authorities also discovered potential child pornography, as well as  
18 evidence that Scratchley may have abused other children.  
19

20 2.8 T.V. met Scratchley at a time when she was vulnerable and seeking  
21 treatment for addiction to prescription medication. Scratchley manipulated that  
22 vulnerability by grooming T.V. during their counseling sessions for a romantic relationship,  
23 and breached his ethical duties by engaging in a sexual relationship with T.V. shortly after  
24 the counseling concluded. T.V. developed an emotional dependency on Scratchley, and  
25 her trust in Scratchley was breached when he pursued a personal relationship with her.  
26 The improper relationship has caused significant confusion and severe emotional harm to

1 T.V. including humiliation, mental anguish, shame, depression, and general deterioration  
2 her emotional well-being.

3 2.9 Upon information and belief, The Talbot Center and Catholic Community  
4 Services did not conduct a background investigation or check Scratchley's references,  
5 and ignored concerns over his drug use. The Defendants further failed to have policies  
6 and procedures in place to prevent improper relationships between treatment providers  
7 and patients, and failed to adequately supervise Scratchley or warn those individuals in  
8 the foreseeable zone of danger.  
9

### 10 III. CAUSE OF ACTION - NEGLIGENCE

11 3.1 Defendant Talbot Center and Catholic Community Services furthered their  
12 Christian mission and efforts to reach new followers of the Church by promoting and  
13 offering treatment services to individuals, including the Plaintiff.

14 3.2 At all times relevant herein, The Talbot Center and Catholic Community  
15 Services supported David Scratchley's role as a director and counseling provider at The  
16 Talbot Center. As a result, Defendants held David Scratchley out as an agent under the  
17 Defendants' supervision, direction and control.  
18

19 3.3 During all relevant times, David Scratchley was working for The Talbot  
20 Center and Catholic Community Services. As such, the Defendants are legally  
21 responsible for the negligent acts of their employee which occurred during the scope of  
22 his employment, including the negligent and foreseeable transference phenomenon that  
23 occurred during the counseling with T.V.

24 3.4 As a direct and proximate result of the Defendants' support and promotion  
25 of The Talbot Center's treatment programs, and the Defendants support of Scratchley as  
26 a director and treatment provider, Scratchley had access to vulnerable clients and their

1 children, including T.V., that resulted in an improper sexual relationship between  
2 Scratchley and T.V., and which created the Plaintiff's severe and continuing injuries and  
3 damages to be proven at trial.

4 3.5 Prior to Scratchley engaging in an improper relationship with T.V., the  
5 Defendants knew or should have known that Scratchley had a propensity to engage in  
6 improper sexual relationships, and that he had entered into such relationships by  
7 exploiting his position as a director and treatment provider. The Defendants knew or  
8 should have known that Scratchley would continue to exploit his position of authority if  
9 given unfettered and unmonitored access to vulnerable individuals.

10 3.6 The Defendants negligently hired, supervised and retained Scratchley in  
11 the drug treatment programs when they knew or should have known of Scratchley's  
12 inappropriate sexual relationships and drug use.

13 3.7 The Defendants negligently failed to warn vulnerable individuals seeking  
14 treatment, their families, or those in the foreseeable zone of danger regarding  
15 Scratchley's deviant sexual behavior.

16 3.8 Defendants failed to properly investigate Scratchley's background to  
17 ascertain whether he was suitable to be placed in a position of trust and confidence  
18 among vulnerable adults and children.

#### 19 IV. DAMAGES

20 4.1 As a direct and proximate result of the Defendants negligent acts and  
21 omissions, Plaintiff entered into a sexual relationship with her treatment provider, and  
22 was otherwise exploited by Scratchley. Plaintiff suffered and continues to suffer  
23 damages for pain and suffering, extreme physical and emotional and psychological  
24 distress and other general and special damages in the amount to be proven at trial.  
25  
26

1           4.2    As a direct and proximate result of the aforementioned acts, Plaintiff has  
2 sustained general and special damages and will sustain future general and special  
3 damages, including but not limited to the following damages in an amount to be proven  
4 at trial:

5                   4.2.1 Past, present and future physical and emotional pain and suffering;

6                   4.2.2 Past, present and future permanent and continuing psychological  
7 injury; and  
8

9                   4.2.3 Medical bills and other related expenses for future treatment.

10                                   **PRAYER FOR RELIEF**

11           WHEREFORE, Plaintiff prays that the Court enter a judgment against the  
12 Defendants, jointly and severally, and in Plaintiff's behalf for the following:

13                   1.    For special damages for future medical treatment expenses, and the  
14 expenses of medication, in amounts to be determined at the time of trial;

15                   2.    For all general damages, for mental and emotional upset and disturbance,  
16 and other disorders resulting from the acts complained of herein;

17                   3.    For such attorneys fees, prejudgment interest, costs; and

18                   4.    For such other and further relief as this honorable Court determines just.

19           Dated this 12<sup>th</sup> day of July, 2012.

20                                   GORDON THOMAS HONEYWELL LLP

21  
22 By: *Julia Reich for 12621*

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